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Attorney for Defendant  
**TERRY LE CLAIR**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,  
Plaintiff  
v.  
TERRY LE CLAIR,  
Defendant

Case No.: 2:22-CR-00197 JAM

**STIPULATION AND ORDER TO  
MODIFY CONDITIONS OF RELEASE**

## **STIPULATION**

Defendant Terry Le Clair, by and through his undersigned counsel, and plaintiff United States of America (the “government”), by and through its undersigned counsel, hereby stipulate as follows:

1. The defendant is facing one count under 18 U.S.C. § 2251(c) and (e).
  2. At his detention hearing on September 27, 2022, the Honorable Magistrate Deborah Barnes ordered the defendant's release on a \$500,000 secured bond (by residential property) to a third-party custodian, with a number of strict conditions, including 24/7 home detention, psychiatric treatment, and a complete internet ban (including any device capable of accessing the internet), among other restrictions.
  3. According to Pretrial Services, the defendant has remained fully compliant with his

1 conditions since his release 13 months ago.

- 2 4. Pretrial Services now supports modifying his release conditions to permit the  
3 defendant to be out of his house between 11am – 1pm every weekday, as  
4 recommended by his counselor, to address his physical and mental health needs.  
5 5. The defendant and his attorney agree with the modification; the government is not  
6 opposed.  
7 6. For these reasons, the parties agree and stipulate to modifying release condition  
8 #18, by replacing the home detention provision with a limited curfew condition as  
9 follows:

10 “18. You must participate in the following location monitoring  
11 program component and abide by all the requirements of  
12 the program, which will include having a location  
13 monitoring unit installed in your residence and a radio  
14 frequency transmitter device attached to your person. You  
15 must comply with all instructions for the use and operation  
16 of said devices as given to you by the Pretrial Services  
17 Agency and employees of the monitoring company. You  
18 must pay all or part of the costs of the program based upon  
19 your ability to pay, as determined by the pretrial services  
20 officer;

21 ***CURFEW: You must remain inside your residence at all  
22 times, except from 11:00 a.m. to 1:00 p.m. on weekdays  
23 (Monday-Friday). At all other times, you must remain  
24 inside your residence except for religious services;  
medical, substance abuse, or mental health treatment;  
attorney visits; court-ordered obligations; or other  
essential activities pre-approved by the pretrial services  
officer. Essential activities include haircuts, DMV  
appointments, banking needs, or other activities that  
cannot be completed by another person on your behalf;***”

25 Accordingly, the parties respectfully request the Court adopt this proposed stipulation  
26 and order the Amended Special Conditions of Pretrial Release, attached hereto, filed and made  
27 a part of the record herein.

28 IT IS SO STIPULATED.

1  
2 Dated: November 2, 2023

/s/ ETAN ZAITSU

3  
4 ETAN ZAITSU  
Counsel for Defendant  
5 TERRY LE CLAIR

6  
7 Dated: November 2, 2023

PHILLIP A. TALBERT  
United States Attorney

8  
9 /s/ CHRISTINA MCCALL  
10 CHRISTINA MCCALL  
Assistant United States Attorney

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**ORDER**

15  
16 Based upon the foregoing stipulation of the parties, Pretrial Services' recommendation,  
17 and good cause appearing, the Court hereby orders the modification of Special Condition of  
18 Pretrial Release #18 as set forth in the parties' stipulation. The Amended Special Conditions  
19 of Pretrial Release is ordered filed. All other conditions of release are to remain in full force.

20  
21 IT IS SO FOUND AND ORDERED

22 Dated: November 2, 2023

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CAROLYN K. DELANEY  
UNITED STATES MAGISTRATE JUDGE